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2 **STATE OF CALIFORNIA**
3 **CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**
4

5 IN RE: **GOLDEN HILLS COMMUNITY SERVICES**
6 **DISTRICT WATER SYSTEM**
7 Water System No. 1510045
8

9 TO: William Fisher, General Manager
10 Golden Hills Community Services District
11 P.O. Box 637
12 Tehachapi, CA 93581
13

14 **BY CERTIFIED MAIL**

15 **CITATION FOR NONCOMPLIANCE - WATER SYSTEM NO. 1510045**
16 **TOTAL COLIFORM MAXIMUM CONTAMINANT LEVEL VIOLATION**
17 **October 2013**

18 **Citation No. 03-19-14C-003**

19 **Issued on February 3, 2014**
20

21 **STATEMENT OF FACTS**
22

23 Golden Hills Community Services District (CSD) Water System (hereinafter Water
24 System) is classified as a community Water System and serves a population of
25 approximately 8656 persons through 2797 service connections. Domestic water supply
26 is provided to seven pressure zones by twelve groundwater wells. Three pressure
27 zones are gravity fed via storage tanks, and the other four pressure zones are
pressurized via hydropneumatic tanks and booster pumps. There are eight storage

1 tanks with a combined storage capacity of 3.75 MG. Continuous chlorination
2 treatment is provided by injecting sodium hypochlorite at each of the well's discharge
3 lines. Also, water produced by Well C is treated for arsenic removal using Isolux
4 adsorptive media.

5 The District operates the Water System under the authority of Permit Number 03-92-
6 028, issued on December 23, 1992, and four Permit Amendments issued as follows;
7 Permit Amendment Number 03-95-000, issued on March 16, 1995, Permit
8 Amendment Number 03-12-96P-000 issued, on October 24, 1996, Permit Amendment
9 Number 03-12-99PA-010, issued on September 28, 1999, and Permit Amendment
10 Number 03-19-11PA-005, issued on November 22, 2011. All of the District's water
11 facilities are currently permitted and there are no outstanding permit applications.

12
13 The Southern California Drinking Water Field Operations Branch, Division of
14 Drinking Water and Environmental Management, California Department of Public
15 Health (hereinafter "Department") is responsible for enforcing the Safe Drinking
16 Water Act and regulations promulgated pursuant thereto.

- 17
18 • The Water System is required to collect a minimum of seven (7) distribution
19 system bacteriological sample per month.
20 • Two (2) out of three (3) routine bacteriological quality samples collected on
21 October 28, 2013, from the distribution system, tested positive for total
22 coliform bacteria.
23 • **Golden Hills CSD Water System failed the total coliform maximum**
24 **contaminant level (MCL) for October 2013 [Section 64426.1(b)(2),**
25 ***Authorities*].**
26
27

- 1 • On October 30, 2013, Mike Sides of the Water System notified the Department
- 2 via voicemail that the Water System failed the total coliform MCL for the
- 3 month of October 2013.
- 4 • Six (6) repeat bacteriological samples collected on October 30, 2013, from the
- 5 distribution system, tested negative for total coliform bacteria.
- 6 • Four (4) bacteriological samples collected on October 31, 2013, from S-1 Well,
- 7 S-2 Well, Red Apple Well, and D Well, (counted towards the Ground Water
- 8 Rule's trigger source sampling requirement), tested negative for total coliform
- 9 bacteria.
- 10 • In addition, four (4) bacteriological samples collected on October 31, 2013,
- 11 from S-1 Well after Cl₂, S-2 Well after Cl₂, Red Apple Well after Cl₂, and D
- 12 Well after Cl₂, also tested negative for total coliform bacteria.
- 13 • None of the total coliform positive samples collected in October 2013, from
- 14 the distribution system, tested positive for *E.coli* bacteria.
- 15 • On November 7, 2013, a public notice and Proof of Notification were emailed
- 16 to the Water System for the October 2013 total coliform MCL failure.
- 17 • On December 5, 2013, the Department received signed and dated copies of the
- 18 Proof of Notification and the public notice. According to these documents,
- 19 public notification was completed on November 20, 2013.
- 20 • On November 7, 2013, an investigation report was emailed to the Water
- 21 System, for the October 2013 total coliform MCL failure.
- 22 • On December 5, 2013, the Department received a completed copy of the
- 23 investigation report. The investigation report was completed by William
- 24 Fisher of the Water System.
- 25 • The investigation report discussed possible sampler error and/or windy, dusty
- 26 conditions at the time of sampling, as possible causes of total coliform positive
- 27 samples in October 2013.

- Twelve (12) routine bacteriological quality samples collected in November 2013 from the distribution system, tested negative for total coliform bacteria.
- Twelve (12) routine bacteriological quality samples collected in December 2013 from the distribution system, tested negative for total coliform bacteria.
- Results of all (source and distribution) bacteriological samples collected from January 2013 to December 2013 are summarized in **Attachment A**.

AUTHORITIES

Section 116577 of the CHSC, states in relevant part:

“(a) Each public water system shall reimburse the department for the actual costs incurred by the department for any of the following enforcement activities related to that water system:

- (1) Preparing, issuing, and monitoring compliance with, an order or citation.
- (2) Preparing, and issuing public notification

...

(b) The department shall submit an invoice for these enforcement costs to the public water system that requires payment prior to September 1 of the fiscal year following the fiscal year in which the costs were incurred. The invoice shall indicate the total hours expended, the reasons for the expenditure, and the hourly cost rate of the department. The costs set forth in the invoice shall not exceed the total actual costs to the department of the enforcement activities specified in this section.”...

Section 116650 of the California Health and Safety Code (hereinafter CHSC), states in relevant part:

“(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by registered mail.

(b) Each citation shall be in writing and shall describe with particularity the nature of the violation, including a reference to the statutory provision, standard, order, or regulation alleged to have been violated.

(c) For continuing violations, the citation shall fix the earliest feasible time for elimination or correction of the condition constituting the violation where appropriate. If the public water system fails to correct a violation within the time specified in the citation, the department may assess a civil penalty as specified in subdivision (e).

(d) For a noncontinuing violation of primary drinking standards, the department may assess in the citation a civil penalty as specified in subdivision (e).

(e) Citations issued pursuant to this section shall be classified according to the nature of the violation or the failure to comply. The department shall specify the classification in the citation and may assess civil penalties for each classification as follows:

(1) For violation of a primary drinking standard, an amount not to exceed one thousand dollars (\$1,000) per day for each day that the violation occurred, including each day that the violation continues beyond the date specified for correction in the citation or order.

(2) For failure to comply with any citation or order issued for violation of a secondary drinking water standard that the director determines may have a direct or immediate relationship to the welfare of the users, an amount not to exceed one thousand dollars (\$1,000) for each day that the violation continues beyond the date specified for correction in the citation or order.

(3) For failure to comply with any citation or order issued for noncompliance with any department regulation or order, other than a primary or secondary drinking water standard, an amount not to exceed

two hundred dollars (\$200) per day for each day the violation continues beyond the date specified for correction in the citation."

Section 116655 of the CHSC, states in relevant part:

"(a) Whenever the department determines that any person has violated or is violating this chapter, or any permit, regulation, or standard issued or adopted pursuant to this chapter, the director may issue an order doing any of the following:

- (1) Directing compliance forthwith.
- (2) Directing compliance in accordance with a time schedule set by the department.
- (3) Directing that appropriate preventative action be taken in the case of a threatened violation.

(b) An order issued pursuant to this section may include, but shall not be limited to, any or all of the following requirements:

- (2) That purification or treatment works be installed."

California Code of Regulations (hereinafter, CCR), Title 22, Section 64423, Table 64423-A establishes the minimum routine sampling requirements, and states in relevant part:

<i>Monthly Population Served</i>	<i>Service Connections</i>	<i>Minimum Number of Samples</i>
25 to 1000	15 to 400	1 per month
1,001 to 2,500	401 to 890	2 per month
2,501 to 3,300	891 to 1,180	3 per month
3,301 to 4,100	1,181 to 1,460	4 per month
4,101 to 4,900	1,461 to 1,750	5 per month
4,901 to 5,800	1,751 to 2,100	6 per month
5,801 to 6,700	2,101 to 2,400	7 per month
6,701 to 7,600	2,401 to 2,700	2 per week
7,601 to 12,900	2,701 to 4,600	3 per week
12,901 to 17,200	4,601 to 6,100	4 per week
17,201 to 21,500	6,101 to 7,700	5 per week
21,501 to 25,000	7,701 to 8,900	6 per week
25,001 to 33,000	8,901 to 11,800	8 per week
33,001 to 41,000	11,801 to 14,600	10 per week
41,001 to 50,000	14,601 to 17,900	12 per week
50,001 to 59,000	17,901 to 21,100	15 per week

CCR, Title 22, Section 64426.1 establishes the total coliform maximum contaminant level and states in relevant part:

"(a) Results of all samples collected in a calendar month pursuant to Sections 64423, 64424, and 64425 that are not invalidated by the Department or the laboratory shall be included in determining compliance with the total coliform MCL. Special purpose samples such as those listed in 64421(b) and samples collected by the water supplier during special investigations shall not be used to determine compliance with the total coliform MCL.

(b) A public water system is in violation of the total coliform MCL when any of the following occurs:

- (1) For a public water system which collects at least 40 samples per month, more than 5.0 percent of the samples collected during any month are total coliform-positive; or
- (2) For a public water system with collects fewer than 40 samples per month, more than one sample collected during any month is total coliform-positive; or
- (3) Any repeat sample is fecal coliform-positive or E. coli-positive; or
- (4) Any repeat sample following a fecal coliform-positive or E. coli-positive routine sample is total coliform-positive.

(c) If a public water system is not in compliance with paragraphs (b)(1) through (4), during any month in which it supplies water to the public, the water supplier shall notify the Department by the end of the business day on which this is determined, unless the determination occurs after the Department office is closed, in which case the supplier shall notify the Department within 24 hours of the

1 determination. The water supplier shall also notify the consumers served by the water system. A Tier 2
2 Public Notice shall be given for violations of paragraphs (b)(1) or (2), pursuant to section 64463.4. A
3 Tier 1 Public Notice shall be given for violations of paragraphs (b)(3) or (4), pursuant to section
4 64463.1."

5 DETERMINATIONS

6 Based upon the above Statement of Facts and Authorities, the Department determines
7 that the Golden Hills Community Services District has violated the following:

- 8 1. CCR, Title 22, Section 64426.1(b)(2); Specifically, the Water System violated
9 the total coliform MCL for October 2013, when more than one sample
10 collected in October 2013, tested positive for total coliform bacteria.

11 The above violation is classified as a non-continuing violation.

12 DIRECTIVES

13 Golden Hills Community Services District is hereby directed to take the following
14 actions:

- 15 1. Cease and desist from failing to comply with Section 116555(a) of the
16 California Health and Safety Code (CHSC) and Section 64426.1(b)(2) of Title
17 22, California Code of Regulations.
18
19 2. The Water System shall reimburse the Department, in accordance with an
20 invoice that shall be provided to the Water System, the costs for enforcement
21 activities, and such reimbursement shall be made prior to September 1 (or by a
22 different date if specified by the Department) of the fiscal year following the
23 fiscal year in which such costs are incurred as described in CHSC Sections
24 116577(a)(1-2) and 116577(b).
25
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27

FURTHER ENFORCEMENT ACTIONS

Section 116270, Chapter 4, Part 12, Division 104 of the CHSC authorizes the Department to: issue additional citations with assessment of penalties if a public water system continues to fail or correct a violation identified in a citation; take action to suspend or revoke a permit that has been issued to a public water system if the system has violated applicable law or regulations or has failed to comply with orders of the Department; and petition the superior court to take various enforcement measures against a public water system that has failed to comply with orders of the Department. The Department does not waive any further enforcement action by issuance of this citation.

PARTIES BOUND

This citation shall apply to and be binding upon Golden Hills Community Services District, its officers, directors, agents, employees, contractors, successors, and assignees.

SEVERABILITY

The directives of this citation are severable, and Golden Hills Community Services District shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

CIVIL PENALTIES

Section 116650, subsections (d) and (e) of the CHSC allow for the assessment of a civil penalty for failure to comply with the requirements of the Safe Drinking Water Act. Failure to comply with any provision of this Citation may result in the

Department imposing an administrative penalty of not less than \$200 (two hundred dollars) per day as of the date of violation of any provision of this Citation.

Feb 3, 2014
Date

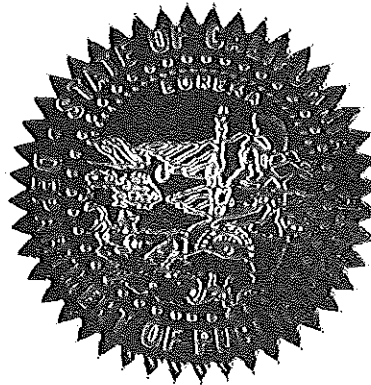
Jaswinder S. Dhaliwal
Jaswinder S. Dhaliwal, P.E.
Senior Sanitary Engineer
Drinking Water Field Operations Branch

JSD/dc

ATTACHMENT

Attachment A: Summary of Bacteriological Samples Collected from January 2013 through December 2013.

Cc: Kern County Environmental Health Services Department (w/o attachment)
Mike Sides, Assistant General Manager, Golden Hills CSD



Attachment A

Golden Hills CSD

1510045

Distribution System Freq: 7/M

Sample Date	Time	Location	T Coll	E Coll	F Coll	Type	Cl2	Violation	Comment
1/1/2013		15 Samples	A	A		Routine	1.0 - 1.7		
2/1/2013		12 Samples	A	A		Routine	1.0 - 1.4		
2/1/2013		Morris Park after Cl2, S2	<1.1	<1.1		Other			
3/1/2013		12 Samples	A	A		Routine	1.0 - 1.3		
3/1/2013		Iriat Well after Cl2, Poor	<1.1	<1.1		Other			
4/1/2013		12 Samples	A	A		Routine	0.9 - 1.6		
5/1/2013		15 Samples	A	A		Routine	1.0 - 1.7		
5/1/2013		Poor Well after blend, M	<1.1	<1.1		Other			
6/1/2013		12 Samples	A	A		Routine	0.8 - 1.5		
7/1/2013		15 Samples	A	A		Routine	0.8 - 1.6		
8/1/2013		12 Samples	A	A		Routine	0.9 - 1.8		
8/1/2013		Poor Well after blend, M	<1.1	<1.1		Other			
9/1/2013		12 Samples	A	A		Routine	1.0 - 1.3		
10/1/2013		13 Samples	A	A		Routine	1.0 - 1.2		
10/1/2013		S-1 after Cl2, S-2 after Cl	<1.1	<1.1		Other			
10/28/2013	13:45	21800 Hidden Canyon	P	A		Routine	1.0		
10/28/2013	13:55	22209 Valley Vista	P	A		Routine	1.1	MCL	Cit 03-19-13C-057 Pending
10/30/2013	10:15	22209 Valley Vista #7A	A	A		Repeat	1.36		
10/30/2013	10:20	21508 Country Club #7C	A	A		Repeat	1.13		
10/30/2013	10:25	22217 Valley Vista #7B	A	A		Repeat	1.11		
10/30/2013	10:45	21800 Hidden Canyon #	A	A		Repeat	1.17		
10/30/2013	11:05	21812 Hidden Canyon #	A	A		Repeat	1.63		
10/30/2013	11:15	21713 Hidden Canyon #	A	A		Repeat	1.52		
11/1/2013		12 Samples	A	A		Routine	0.9 - 1.7		
11/1/2013		Iriat Well after Cl2, C We	<1.1	<1.1		Other			
11/18/2013	10:55	C Well after treatment	<1	N/A		Other			
12/1/2013		12 Samples	A	A		Routine	1.0 - 1.5		
12/1/2013		Iriat Well after Cl2	<1.1	<1.1		Other			
12/2/2013	9:22	Iriat Well after Cl2	1.1	<1.1		Other			

Golden Hills CSD

1510045

Source Monitoring Freq:

Sample Date	Time	Source	T Coli	E Coli	F Coli	Violation	Comment
2/1/2013		Well A, B, C, D, F, V, S1, S2,	<1.1	<1.1			hpc = 2.0 for C Well after Treatment
3/1/2013		Well Iriart, Poor Well	<1.1	<1.1			hpc = 2.0 for C Well after treatment
5/1/2013		Well A, B, C, D, F, V, Morris Pa	<1.1	<1.1			
8/1/2013		Well A, B, C, D, F, V, Morris Pa	<1.1	<1.1			
10/1/2013		Well S-1, S-2, Red apple, D We	<1.1	<1.1			
11/1/2013		Well A, B, C, D, V, Morris Park	<1.1	<1.1			
11/18/2013	10:35	Iriart Well	12	<1.1			
12/1/2013		Iriart Well, F Well before CI2	<1.1	<1.1			
12/2/2013	9:20	Iriart Well, before CI2	2.2	<1.1			
